

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Michael L. Kathrein and)
Victoria Kathrein,)
Plaintiffs,)
v.) No. 08 C 83
City of Evanston, Illinois,) Honorable Ronald Guzman
Defendant.) Magistrate Judge Sidney Schenkier
) Judges Presiding

MOTION FOR ENLARGEMENT OF TIME TO ANSWER OR OTHERWISE PLEAD

Defendant, the City of Evanston, by its counsel, Jack M. Siegel and Iain D. Johnston, hereby move for an extension of time to answer or otherwise plead to Plaintiff's Complaint, pursuant to Federal Rule of Civil Procedure 6(b)(1). In support of this Motion, Defendant states the following.

1. Plaintiffs filed their Complaint on January 4, 2008. The Complaint was served on Evanston on January 4, 2008.

2. Evanston has until January 25, 2008, to file a responsive pleading or motion.

3. Evanston seeks additional time to file a responsive pleading or motion, to and
ng February 11, 2008.

4. Jack M. Siegel, the Corporation Counsel for Evanston, has been out of the office for about two weeks and did not return to the office until January 22, 2008. Iain D. Johnston has been required to prepare for numerous arguments, including but not limited to, a Seventh Circuit oral argument and an argument on dispositive motions in the Circuit Court of Cook County. Additionally, Mr. Johnston has participated in numerous depositions.

5. This motion is made in good faith and is not intended to unduly delay these proceedings.

WHEREFORE, Evanston respectfully request that this grants its motion for an enlargement of time to answer or otherwise plead until February 11, 2008.

Respectfully submitted,

City of Evanston,

s/ Iain D. Johnston

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